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ANNEX 4

10 August 1949

Mr. Ismar Baruch
Chief, Personnel Classification Division
United States Civil Service Commission
Washington 25, D. C.

Dear Mr. Baruch:

Thank you for your letter of 8 August stating the official judgment of the Civil Service Commission to the effect that sections 7 and 10(b) of Public Law 110 (81st Congress) do not require the Commission to enforce the Classification Act within this Agency.

You may be assured that in our internal personnel administration we will be governed by the basic philosophy and principles of the Classification Act, the Civil Service Commission's allocation standards, the pay scales, the within-grade salary advancement plans, and the pay rules of the Classification Act, as they may be amended from time to time, in substantially the same manner as provided for other agencies.

Your willingness to be of service and to assist us in classification problems is very much appreciated, and we will certainly be calling upon you from time to time for such assistance.

I wish again to thank you and, through you, the Commissioners for the very fine support you have given us in the past and the understanding with which your representatives have dealt with the difficult problems they have encountered in this Agency.

Sincerely,

/s/

R. H. HILLENKOETTER
Rear Admiral, USN
Director of Central Intelligence

NOTE: This correspondence will be given no publicity. We will continue, as in the past, to comply in spirit as well as in letter, to the fourth paragraph of Mr. Baruch's letter.

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C O P Y

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UNITED STATES CIVIL SERVICE COMMISSION
Washington 25, D. C.

August 8, 1949

Rear Admiral R. H. Hillenkoetter, USN
Director
Central Intelligence Agency
Washington 25, D.C.

Dear Admiral Hillenkoetter:

Following the receipt of your letter of June 30, 1949, we took up officially with the Commissioners the question whether under the Central Intelligence Agency Act of 1949, the Agency is mandatorily subject to the provisions of the Classification Act of 1923, as amended.

It is the official judgment of the Commission, based on sections 7 and 10(b) of the Central Intelligence Agency Act of 1949, that the Agency is not required, as a matter of law, to follow the Classification Act, and that the Commission, therefore, as a matter of law, is not required to enforce that Act within your Agency.

This decision does not affect the status of employees or positions with reference to other laws, such as the Civil Service Act or the Retirement Act.

We are gratified to learn that notwithstanding the legal conclusion stemming from the terms of the statute, you intend, as an administrative policy, to follow the basic philosophy and principles of the Classification Act, the Civil Service Commission's allocation standards, the pay scales, the within-grade salary advancement plans, and the pay rules of the Classification Act, as they may be amended from time to time, in substantially the same manner as the Classification Act provides.

Under these conditions, we are glad to offer our services as a source of information, advice, and the certification of advisory allocations when you desire such action. We appreciate the soundness of your administrative policy with respect to position-classification and salary standardization. Within our resources, we will do all we can to aid you.

Sincerely yours,

/s/

Ismar Baruch, Chief
Personnel Classification Division

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